

Status Summary Table of EPA Title VI Administrative Complaints (5/28/04)

| Table 1: Title VI Complaints by Status Category/subcategory | | Number (147 Total) | Percent | Explanation |
|--|--|-------------------------------|----------------|---|
| Pending | Under review for possible investigation/rejection/referral | 13 | 09% | Complaints received by EPA, but for which no decision has yet been made to either reject, accept for investigation, or refer to another federal agency. Includes complaints listed with “clarification requested” status. |
| | Accepted for investigation | 18 | 12% | Complaints which met the regulatory requirements for an investigation (40 C.F.R. Part 7) and were accepted for investigation. |
| | Suspended | 01 | 01% | Complaints received by EPA that are currently in litigation concerning matters related to their Title VI complaint. |
| | Total Pending | 32 | 22% | Complaints accepted for investigation <u>plus</u> the number of complaints under review for possible investigation. |
| Closed | Rejected for investigation | 82 | 56% | Complaints received by EPA, but not accepted for investigation because they did not meet the regulatory requirements (40 C.F.R. Part 7) (e.g., no recipient of EPA financial assistance; complaint filed more than 180 days after the alleged discriminatory act). (See Table 2 for more information) |
| | Informally resolved | 02 | 01% | Accepted complaints which have reached a documented resolution by informal voluntary negotiations, including Alternative Dispute Resolution (ADR). |
| | Dismissed after acceptance | 28 | 19% | Complaints accepted for investigation, but later dismissed and the file closed. (See table 3 for more information.) |
| | Referral to another federal agency | 03 | 02% | Complaints received by EPA, but not accepted for investigation because another federal agency has jurisdiction over the issues described in the complaint. |
| | Total Closed | 115 | 78% | Note: OCR applies regulatory requirements to each allegation in a complaint. Those allegations not meeting requirements will be rejected. However, if any allegation is accepted for investigation, the complaint is represented in the tally here as accepted. |

| Table 2: Reasons for Rejection of Complaints | Number | Percent of Rejected Complaints |
|---|---------------|---------------------------------------|
| No recipient of EPA financial assistance involved | 31 | 38% |
| Insufficient allegations to constitute a complaint | 19 | 25% |
| Filed after expiration of 180 day deadline | 24 | 32% |
| Allegations unsupported by facts | 3 | 4% |
| Already in court litigation | 9 | 11% |
| Moot (challenged permit expired or w/drawn) | 12 | 15% |
| Note: Some complaints were rejected for more than one reason. | | |

| Table 3: Reasons for Dismissal of Complaints | Number |
|---|---------------|
| Permit application withdrawn | 1 |
| Permit denied/Appeals exhausted | 4 |
| Permit application inactive | 2 |
| Complainant failed to provide required information | 1 |
| No adverse impact found | 12 |
| No factual support | 1 |
| No intentional discrimination found | 2 |
| Complaint withdrawn by complainant | 7 |
| Total | 28 |